

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 4-8, 10, 16, 18 and 19 are pending. Claims 18 and 19 are independent. By this Amendment, claim 18 is amended. No new matter is added.

Reexamination and reconsideration of the pending claims is respectfully requested.

Drawing Suggestion

Applicant acknowledges with appreciation the suggestion in the outstanding Office Action to submit formal copies of explanatory drawings. However, Applicant respectfully submits that the existing drawings are proper in the sense that there is no drawing objection or rejection based on the existing drawings, and that the explanatory drawings are available, as part of the file wrapper of this application, to the public. Accordingly, Applicants is not filing formal copies of those explanatory drawings.

Election by Previous Presentation

Claim 19 is withdrawn as being directed to an invention that is independent or distinct from the invention originally claimed. This determination, and withdrawal of claim 19 from consideration on its merits, are respectfully traversed.

Claim 19 is directed to a method of stabilizing transfer of a glass or quartz substrate to a susceptor for heating the glass or quartz substrate, whereas the other pending claims are directed to an apparatus used to effect stabilizing transfer of a glass or quartz substrate to a susceptor for heating the glass or quartz substrate. Effectively, claim 19 recites a method of using the apparatus recited in the other pending claims.

The Office Action fails to establish that these two different statutory classes of invention are independent and/or distinct or that there would be any undue burden on the Examiner to search and examine both inventions. In fact, Applicants respectfully submit that a reasonably comprehensive search for both inventions would encompass the same areas of search.

In this regard, Applicants note that MPEP § 803 makes it clear that for a restriction to be proper, the Examiner must show that (1) the claims are independent and distinct, and (2) there would be a serious burden on the Examiner if restriction is not required. Applicants respectfully submit that neither showing has been made in the outstanding Office Action.

Accordingly, reconsideration and withdrawal of the outstanding Office Action, and preparation and mailing of a new Office Action which treats all pending claims on their merits are respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 4-8, 10, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants admitted prior art (AAPA) in view of Tepman et al. (US 5,589,224). Claims 4-8, 10, 16 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants admitted prior art (AAPA) in view of DuBois et al. (US 5,855,687), and claim 4 is also rejected under 35 U.S.C. § 103(a) as being unpatentable over (AAPA) in view of Tepman et al. (US 5,589,224) or alternately in view of DuBois et al. (US 5,855,687) as applied to claims 4-8, 10, 16 and 18 and further in view of Rempei Nakata (US 5,119,761).

Applicants respectfully traverse these rejections.

Initially, Applicants note that all of the dependent claims under rejection depend from independent claim 18.

Applicants respectfully submit that the Office Action fails to make out a *prima facie* case of obviousness of the claimed invention based on the applied art for a number of reasons.

For example, claim 18 recites, *inter alia*, “a susceptor having a recessed central portion and raised perimeter portions around the recessed central portion for heating a glass substrate, each raised perimeter portion of the susceptor acting as a sliding portion having a rectangular shape and on which to slide the glass substrate; a robot arm for transferring the glass substrate along one direction to have the glass substrate positioned on the susceptor; lift pins installed on the recessed central portion of the susceptor for moving the glass substrate up and down; a groove formed within the sliding portion, in parallel to a side of the sliding portion, and along a direction perpendicular to the one direction, to receive vacuum deposited material which occurs

on the surface of the susceptor due to the frictional difference between the susceptor and the glass substrate and is pushed by the glass substrate transferring along the one direction; stopping pins formed in the groove along a direction perpendicular to the one direction for stopping the glass substrate moving along the one direction by the robot arm, wherein a length from a stopper pin to a contact position of the glass substrate on the top surface of the sliding portion is about 10mm to stabilize transfer of the glass substrate to the susceptor.”

In this regard, Applicants note that, whereas the claimed invention recites a sliding portion having a rectangular shape, in the applied art, the substrates have only a circular shape.

Further in this regard, Applicants note that, in the claimed invention, a groove is formed within the sliding portion, in parallel to a side of the sliding portion and along a direction perpendicular to the one direction, to receive vacuum deposited material which occurs on the surface of the susceptor due to the frictional difference between the susceptor and the glass substrate and is pushed by the glass substrate transferring along the one direction in the claimed invention. However, the groove in Tepman and the groove in DuBois are formed in a closed loop having a circular shape around the substrate and, as a result, neither reference discloses this combination of positively recited features.

Further in this regard, in the claimed invention, stopping pins are formed in the groove along a direction perpendicular to the one direction for stopping the glass substrate moving along the one direction by the robot arm. However, it appears that Tepman does not load its substrate in a direction which uses the centering pins 40 in Tepman to stop a substrate moving in a direction, as claimed.

Furthermore, Applicants respectfully submit that neither Tepman nor Dubois disclose a sliding area as a result-effective variable. The assertion on page 8 of the outstanding Office Action that the sliding area is a result-effective variable provides no evidentiary support for this speculative conclusion, and clearly does not disclose where either Tepman or Dubois supports such a conclusion.

Another way of stating this is that none of the applied art recognized the source of a problem and provided a sliding area dimension which solved that problem, and it is improper to use Applicants' disclosure of this against them.

U.S. Application No. 10/029,035
Amendment dated February 8, 2011

Docket No. 3449-0921PUS1
Art Unit: 1716
Page 8 of 8

Accordingly, Applicants respectfully submit that outstanding Office Action fails to make out a *prima facie* case of obviousness of the invention which is positively claim 18 and in claims 4-8, 10, and 16, which depend therefrom.

Thus, reconsideration and withdrawal of these rejections of claims 4-8, 10, 16 and 18 are respectfully requested.

CONCLUSION

All rejections raised in the Office Action having been addressed, and properly traversed, it is respectfully submitted that the present application is in condition for allowance. Additionally, the next Office Action should treat claim 19 on its merits for reasons presented above.

Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Robert J. Webster (Reg. No. 46,472) at 703-205-8076, to advance the prosecution of this application.

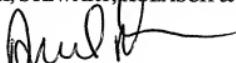
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: February 8, 2011

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:



David A. Bilodeau

Reg. No.: 42,325

P.O. Box 747

Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000

Attorney for Applicant